



Frequently Asked Questions and Answers on Hunting and Hunting-Related Activities in response to Recent Changes to New York State Firearm Laws

Basil Seggos, Commissioner

New York State recently adopted new requirements for the purchase and transfer of ownership of semi-automatic rifles and the purchase, possession, storage, and transport of firearms, rifles and shotguns in sensitive or restricted areas in New York. Refer to gunsafety.ny.gov for details about how these laws affect gun owners.

This Q&A is intended to provide clarity for how the new requirements will affect hunters, hunter education instructors, and hunting-related activities. These questions and answers are not intended to be exhaustive, nor do they constitute legal advice.

For definitions of “restricted” and “sensitive” locations mentioned throughout this document, refer to NYS Penal Law sections [265.01-d](#) and [265.01-e](#).

Purchase and Transfer of Ownership of Semi-Automatic Rifles

Q. Can hunters use a semi-automatic rifle for hunting?

A. Hunters may use a semi-automatic rifle for hunting game that may be taken with a rifle. Rifles may not be used for hunting wild turkeys, pheasants, or migratory game birds (except crows).

On or after September 4, 2022, to take ownership of a semi-automatic rifle individuals must be at least 21 years old and must first apply for and acquire a New York State semi-automatic rifle license. A person of any legal hunting age may temporarily possess or borrow a legal semi-automatic rifle for hunting.

Note: New York State law governs the features allowed for semi-automatic firearms and magazine capacity in all guns. Visit gunsafety.ny.gov for a description of these features.

Q. If a hunter who is 21 or older already owned a semi-automatic rifle prior to September 4, 2022, do they have to apply for a license to continue possessing that rifle?

A. No.

Q. If a hunter who is under age 21 already owned a semi-automatic rifle prior to September 4, 2022, can they keep it and continue to use it for hunting to continue possessing that rifle?

A. Yes.

Q. If a hunter who is under age 21 already owned a semi-automatic rifle prior to September 4, 2022, do they have to apply for a license when they turn 21 to continue possessing that rifle?

A. No.

Q. Does the law apply to new purchases of semi-automatic rifles or new possession (ownership) as well?

A. Both. Any transfer of ownership of a semi-automatic rifle in New York on or after September 4, 2022, requires the receiving person to have a license.

Q. If a hunter is given a semi-automatic rifle as a gift (i.e., transfer of ownership), will they now need to be age 21 or older and apply for and obtain a license?

A. Yes. New York already requires background checks on these transfers, except between certain family members (spouses, domestic partners, children, and stepchildren). Regardless of relationship, a license is required to purchase or take possession of a semi-automatic rifle on or after September 4, 2022.

Q. If a hunter wants to borrow (but not own) a semi-automatic rifle for hunting from someone who legally possesses it, will they need to be age 21 or older and have a license?

A. No. A person of any legal hunting age may temporarily possess/borrow a semi-automatic rifle for hunting.

Q. Can students of any legal hunting age shoot semi-automatic rifles in a hunter education program course (including hunter education courses, Next Step courses, and Becoming an Outdoors Woman workshops) or other training courses?

A. Yes.

Q. Does the law apply to rimfire (e.g., Ruger 10/22 semi-automatic rimfire) *and* centerfire semi-automatic rifles or just centerfire?

A. It applies to all semi-automatic rifles. The caliber of the rifle does not matter.

Q. Can a licensed non-resident hunter pursue deer (or other game that may be taken with a rifle) with a semi-automatic rifle in New York?

A. If the rifle or semiautomatic rifle may be legally possessed in New York, a non-resident hunter may bring the rifle to New York and use it to hunt without a semiautomatic rifle license. Non-resident hunters are encouraged to familiarize themselves with other firearm regulations outlined on the [Gun Safety in New York website](#) to ensure their firearm is compliant with New York State laws.

Hunting

Q: How does the new gun law affect hunting?

A: The new law does **not** affect how and where lawful hunting may occur in New York. The law provides exemptions to allow for lawful hunting in areas listed as “sensitive” or “restricted.” However, the law will affect certain activities associated with the act of lawful hunting such as transportation and storage of hunting guns.

The state considers lawful “hunting activity” to be any taking of wildlife or attempts to take wildlife pursuant to a Hunting or Trapping license, DEC permit, or Environmental Conservation Law exemptions from hunting license requirements.

Q: Do I need a special permit to possess a muzzleloading rifle or shotgun?

A: Possession of muzzleloading rifles and shotguns does NOT require a firearms license. Current NYS Penal Law 265.00 includes muzzleloading rifles and muzzleloading shotguns in the definition of rifles and shotguns.

Hunting on Public Land

Q: Does the new law prohibiting possession of a firearm, rifle, or shotgun in “sensitive locations” affect my ability to hunt public land?

A: No. The new law allows possession of a firearm, rifle, or shotgun in “sensitive locations” when “lawfully engaged in hunting activity.” The list of sensitive locations includes many public places where hunting would not take place. The list also includes public parks and lands owned by public educational institutions, some of which allow hunting. Be sure to clarify with land managers to confirm what activities are allowed at a specific site prior to going afield.

Q: Since DEC lands are “owned by state government,” is hunting now prohibited?

A: Hunting is still allowed on DEC lands where previously permitted. DEC Wildlife Management Areas and State Forests remain open to hunting, as are many areas of the Forest Preserve, including Wilderness and Wild Forest areas. Please visit <https://www.dec.ny.gov/outdoor/7844.html> for additional information on State lands open for hunting.

Q: Can I hunt on other State, County or Town lands?

A: While there is an allowance for possession of firearms when lawfully engaged in hunting activity, the new laws do not create an obligation for lands to be open to hunting. Access may still be limited by the land managers. State Parks will continue to offer hunting opportunities; check the Office of Parks, Recreation and Historic Preservation website (<https://parks.ny.gov/recreation/hunting>) for further information. For State lands managed by other agencies and other public lands, hunters should check with the public agency or municipality in control of the property to confirm which activities are allowed prior to hunting there.

Q: Can I possess a firearm, rifle, or shotgun in the Adirondacks and Catskills?

A: Yes. Certain areas of the parks are not considered “sensitive locations” under the law, as the state owned or managed lands are legally classified as state forest preserve or are generally private lands. There are areas inside the Adirondack and Catskill Forest Preserves, however, that are classified as sensitive locations or restricted locations under the new gun law (e.g., libraries and government administrative facilities) and these specific locations are subject to the sensitive and restricted location restrictions under the law.

Hunting on Private Land

Q: I have permission to hunt on private property, but the landowner doesn't want to post their land as "open to guns" or to provide access to other hunters. Am I still able to hunt?

A: Yes. For private lands, a property owner may post their land as open to carrying shotguns, rifles, and/or other firearms if they wish. Additionally, a property owner may allow possession on an individual basis without posting the property.

Q: If I hunt on multiple properties, do I need permission from every property owner?

A: Yes, on private lands, hunters must obtain personal permission from every property owner of lands they intend to hunt prior to going afield.

Q: I hunt on lands owned by a university (e.g., Cornell University plantations; lands held in trust for the State by Syracuse University). Are guns now prohibited on these properties belonging to educational institutions?

A: Lawful hunting with a gun is still allowed at the discretion of the land manager. With the recent changes, hunters should check with those in control of the property to ensure they are still allowing desired access.

Hunter Education

Q: Does the new law affect how and where hunter education training can occur?

A: No. Possession of firearms, rifles, and shotguns is lawful for hunter education training in "sensitive locations" including camps, fish and game clubs, and public libraries. As was the case prior to the recent law changes, possession of firearms and live-fire exercises associated with hunter education training may only be conducted with permission from the property owner prior to the training. Instructors will need to abide by the new transportation and storage requirements for guns used in hunter education training.

Q: Does DEC's Hunter Education Training meet the new pistol permit firearms safety training standards?

A: No. While we always recommend hunter education courses to familiarize people with the safe handling of firearms, DEC's courses do **not** meet the training required to obtain or re-certify a concealed carry license at this time.

Target Shooting

Q: Can I target shoot on public land?

A: Target shooting at designated ranges and as part of organized shooting sport activities, including biathlon, is considered a fundamental hunting activity, important for hunting preparation and hunter education training, and is therefore lawful according to the new law. Target shooting is lawful on State Forest properties unless otherwise posted as prohibited, and is allowed if specifically designated as open to target shooting on Wildlife Management Areas. Most other public lands do not allow target shooting. Be sure to check with the landowner or land manager before heading afield to confirm whether target shooting is

allowed on a particular public or private property. Please take note that other restrictions regarding the possession or use of breakable targets such as clay pigeons remain in place and are not permitted on State lands.

Q: Because DEC lands are “owned by state government,” is target shooting now prohibited?

A: No. The new law applies only to places owned or under control of federal, state, or local government used for the purpose of government administration. So, possession of a gun in administrative buildings is prohibited, but possession and use for hunting or target shooting on federal, state, or local government owned lands may be allowed by the land manager. Be sure to check whether target shooting is allowed on a particular DEC property before heading afield.

Q: Can marksmanship with rifles and shotguns be taught at summer camps including DEC Summer Camps?

A: Yes. Marksmanship is rooted in hunting ethics and is considered a fundamental hunting activity, important for hunting preparation and hunter education training. As such, ranges at summer camps are allowed.

Q: Is target practice considered hunter education training?

A: Yes. Target shooting at designated ranges and as part of organized shooting sport activities is considered a fundamental hunting activity, important for hunting preparation and hunter education training.

Q: What does the new law mean for the shooting sports program at our school?

A: The new law does not affect these programs. Scholastic shooting sports programs and marksmanship training are rooted in hunting traditions and promote ethical hunting through skill development. New York considers scholastic shooting sports to be a part of hunter education training.

Q: I regularly target shoot and hunt at my local fish and game club. Because the club has a liquor license for the clubhouse, do we need to get rid of the liquor license to continue shooting and hunting on the property?

A: Target shooting at designated ranges and as part of organized shooting sport activities is considered a fundamental hunting activity, important for hunting preparation and hunter education training, and is therefore lawful according to the new law. Guns may not be transported through or possessed inside any establishment that serves alcohol. Guns may be possessed on other areas of the property outside the areas where on-premises consumption is allowed (e.g., the range or other areas used for hunting and shooting).

Gun Storage at Home

Q: How am I now required to store my guns at home?

A: If anyone under 18 years of age or anyone who is prohibited from possessing a gun resides in the home, all firearms, rifles, and shotguns must either be secured with a gun locking device (trigger lock or cable lock) that makes them incapable of being fired or

securely locked in a safe or secure container that is fire, impact, and tamper resistant and which is locked with a key, keypad, or combination.

Traveling with a Firearm, Rifle, or Shotgun

Q: When I am traveling to hunt or participate in a hunting-related activity by car, do I have to store my gun in a fire, impact, and tamper-resistant safe storage container in my vehicle?

A: The gun needs to have all ammunition removed, be locked in a safe storage repository (i.e., a fire, impact, and tamper-resistant container) and be hidden from view if the hunter leaves it unattended in their vehicle. Any lockable plastic or metal, hard-sided gun case or safe will suffice for this purpose. If an adult remains with the vehicle to ensure security, a safe storage repository is not required. To prevent theft, we recommend always securing firearms during transport. Local rules for traveling with firearms also apply and may be more restrictive.

Q: When traveling to hunt, can I bring my rifle or shotgun to the airport if it is unloaded and secured in a case, as per current TSA regulations for checked baggage?

A: Yes, if unloaded, locked in a case and not readily accessible in accordance with Federal Regulation 18 U.S.C. 926A, travelers may transport their gun to another location where it can be lawfully possessed. Check for additional vendor or local requirements.

Q: I need to take a ferry to get to and from my hunting destination. Can I transport my shotgun as long as it is unloaded and secured in locked fire, impact, and tamper-resistant safe storage container in my vehicle?

A: Travelers may transport guns in their vehicle on a ferry as long as the individual remains with the vehicle, in accordance with Federal Regulation 18 U.S.C. 926A. If the traveler is not able to stay with the vehicle, firearms must be properly secured in a locked plastic or metal, hard-sided gun case or safe which is hidden from view.

Q: I am staying at a hunting lodge, and their rental rooms do not have gun safes in every room. How am I supposed to comply with the storage rules?

A: The safe storage requirements apply in vehicles, and when the gun owner has someone in their residence who is under 18 or prohibited from possessing firearms. They do not apply in temporary lodging unless the hunter is traveling with a person as described above. Many lodging facilities have other secure storage available; be sure to check with staff at the lodging site.

Q: On my way to hunting camp, I usually stop to buy groceries and supplies for the trip. The store I shop at is not posted to allow firearms. May I park and shop if I leave my gun locked in my vehicle?

A: Unless otherwise restricted, in publicly accessible parking lots not designated as "Sensitive Locations," hunters may leave the implement unattended if properly secured in a locked plastic or metal, hard-sided gun case hidden from view.

Q: I'm a trapper and get my pelts sealed by DEC staff at my local, regional office. Can I still bring my pistol to the office?

A: No. DEC offices are governmental buildings used for government administration. We ask you to secure firearms in your vehicle or leave them at home before coming to the office.

Ammunition Purchase

Q. Is a background check, such as the National Instant Criminal Background Check System (NICS), required for purchase of hunting ammunition?

A. Not currently. In the future, the law will require ammunition sellers to contact the New York State Police to conduct a background check on prospective ammunition buyers, similar to the check that is conducted on gun buyers. After the New York State Police is officially designated as the point of contact for processing background checks for firearm purchases, the availability of the ammunition background check system will be announced and background checks will commence.

Wildlife Management

Q: I chair a deer management committee for my town. We have a Deer Damage Permit issued by DEC and have previously worked with local volunteers to cull deer on private and public land within the town to reduce deer-vehicle collisions and property damage. Can we continue to do this?

A: Yes. For the purposes of Penal Law 265.01(d) and 265.01(e), "hunting activity" includes all licensed or permitted taking of wildlife as authorized by the Environmental Conservation Law or licensed or permitted by DEC, including the take of nuisance and destructive wildlife, such as with a Deer Damage Permit, or the collection of wildlife for scientific purposes.

Q: I am a Nuisance Wildlife Control Operator licensed by DEC, and I regularly use a .22 rifle to dispatch nuisance animals. Does the new law affect my ability to keep the firearm in my work vehicle and use it for this purpose?

A: When working pursuant to their license, engaged in taking nuisance or destructive wildlife, activities are akin to hunting and are exempted from prohibitions in areas listed as "sensitive" or "restricted" in the new law. When not working a specific venue or traveling for work, Nuisance Wildlife Control Operators are subject to the same possession requirements as members of the public.

Other

Q. I am a DEC Hunting License Issuing Agent and a licensed firearm retailer. Am I still allowed to sell hunting, fishing, and trapping licenses and other goods?

A. Yes. However, all retail locations selling firearms or ammunition must restrict that area of their store to people 18 and older, except when accompanied by a parent/guardian. To accommodate people under 18 who are seeking a sporting license, we recommend license sales be in an area of the store accessible to all.

Q. I own a restaurant that caters to hunters. Can I post my business to allow them to have guns on my property?

A: If licensed to serve alcohol, guns may not be possessed on the portion of the premises where alcohol is consumed. An establishment may post that guns are allowed on other portions of the property, for example parking lots. If left unattended in the vehicle, guns must be secured in a locked plastic or metal, hard-sided case or safe, and hidden from view.

Q: My convenience store sells beer and hard cider along with groceries and other items. Many of my customers are hunters on their way to camp. Can I post my business to allow guns to be carried in the store?

A: Yes. As a private business with no on-premises alcohol consumption, convenience store owners may allow people to possess guns on their property by posting signs at the business or otherwise providing permission to customers through express consent.

Q. Can I carry a firearm while hiking (but not hunting) on public land?

A: Depending on your route, possession of a gun while hiking, biking, canoeing or engaging in other outdoor recreation might be allowable. Before bringing any gun, you must conduct careful research because many trails or routes cross multiple land types.